UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---------------------------------X

UNITED STATES OF AMERICA :

- v. - :

OMAR MALDONADO, : **08 Cr. 231 (JSR)**

Defendant. :

---------------------------------X

DEFENDANT OMAR MALDONADO'S PROPOSED VOIR DIRE QUESTIONS

LEONARD F. JOY
Federal Defenders of New York
Attorneys for Defendant
OMAR MALDONADO
52 Duane Street - 10th Floor
New York, New York 10007
Tel.: (212) 417-8767

DEIRDRE D. VON DORNUM, ESQ.
Of Counsel

TO: MICHAEL J. GARCIA, ESQ.
United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, New York 10007
Attn: **NICOLE W. FRIEDLANDER, ESQ.**
Assistant United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
--------------------------------X

UNITED STATES OF AMERICA :

- v. - :

OMAR MALDONADO, : **08 Cr. 231 (JSR)**

Defendant. :

--------------------------------X

DEFENDANT OMAR MALDONADO'S PROPOSED VOIR DIRE QUESTIONS

Defendant **OMAR MALDONADO** respectfully requests that, in addition to its customary questions, the Court address the following areas in its voir dire. The Court is requested to pursue more detailed questioning if a particular juror's answer reveals that further inquiry is appropriate, concluding in such instance with an inquiry as to whether the juror is certain that the particular fact or circumstance would not influence the juror in favor of or against the government or the defendant.

QUESTIONS FOR THE JURORS AS A GROUP

1. Is there any person that feels that because Mr. Maldonado has been accused of a crime, he must have done *something* to deserve that accusation?
2. Because the charge involves possession of a firearm, is there any reason that you feel you might not be able to be fair and impartial?
3. Have you, or any friend or family member, been the victim of a gun-related crime? **If any veniremember says yes, defense counsel requests that the Court bring the potential juror to sidebar for follow-up questions regarding the details of these crimes, whether the perpetrators were found and convicted, whether these crimes would prevent him or her from presuming Mr. Maldonado to be innocent unless the government proves beyond a reasonable doubt that he possessed a gun, and whether he or she can assure the court without hesitation or equivocation that he or she will be able to render a verdict without bias or prejudice.**
4. You will hear evidence in this case that OMAR MALDONADO was previously convicted of a crime. Would that fact impact, in any way, your evaluation of the evidence in this case?
5. Is there any person that believes he or she cannot be fair

and impartial because of the defendant's appearance?

6. Is there any person that believes he or she cannot be fair and impartial because Mr. Maldonado is Puerto Rican?

DEFENDANT'S CASE SPECIFIC INFORMATION FOR THE COURT

Omar Maldonado is represented by **Deirdre D. von Dornum** and **Sabrina P. Shroff.** Also assisting Mr. Maldonado at trial will be **Whitney Bernstein.**

Dated: New York, New York
April 28, 2008

LEONARD F. JOY
Federal Defenders of New York

BY: ______________________________
DEIRDRE D. VON DORNUM
Attorney for Defendant
Omar Maldonado
52 Duane Street - 10th Floor
New York, New York 10007
Tel. (212) 417-8767

TO: MICHAEL J. GARCIA, ESQ.
United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, New York 10007
Attn: **NICOLE W. FRIEDLANDER, ESQ.**
Assistant United States Attorney